

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

|                           |   |                                    |
|---------------------------|---|------------------------------------|
| UNITED STATES OF AMERICA, | ) |                                    |
|                           | ) |                                    |
| Plaintiff-Respondent,     | ) |                                    |
|                           | ) |                                    |
| vs.                       | ) | Case Nos. CR-02-110-M; CR-02-165-M |
|                           | ) |                                    |
| WALTER JACK CHILDERS,     | ) |                                    |
|                           | ) |                                    |
| Defendant-Movant.         | ) |                                    |


**ORDER**

Before the Court is defendant-movant Walter Jack Childers' ("Childers") Motion for Appointment of Counsel. Rule 8(c) of the Rules Governing Section 2255 Proceedings for the United States District Courts provides, in pertinent part:

If an evidentiary hearing is warranted, the judge must appoint an attorney to represent a moving party who qualifies to have counsel appointed under 18 U.S.C. § 3006A. . . . These rules do not limit the appointment of counsel under § 3006A at any stage of the proceeding.

As set forth in a separate order issued this same date, no evidentiary hearing is necessary in the case at bar. The Court, therefore, finds that Childers is not entitled to the appointment of counsel. The Court further finds that there is no additional cause to appoint counsel in the instant matter. Accordingly, the Court DENIES Childers' Motion for Appointment of Counsel [docket no. 80 in Case No. CR-02-110-M and docket no. 47 in Case No. CR-02-165-M].

**IT IS SO ORDERED this 10<sup>th</sup> day of May, 2006.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE